

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**IN RE METHYL TERTIARY BUTYL ETHER  
("MTBE") PRODUCTS LIABILITY LITIGATION**

**This document relates to:**

*Commonwealth of Pennsylvania., et al. v.  
Exxon Mobil Corp., et al.,  
Case No. 14-cv-06228-VSB*

Master File No: 1:00-1898  
MDL 1358 (VSB)  
M21-88

**DEFENDANT HARTREE PARTNERS, LP'S ANSWER TO THE CROSSCLAIMS OF  
GETTY PROPERTIES CORP. (ALLEGED TO BE INCORRECTLY DESIGNATED AS  
"GETTY PROPERTIES CORPORATION")**

Pursuant to the Federal Rules of Civil Procedure, Defendant Hartree Partners, LP, f/k/a Hess Energy Trading Company, LLC ("Hartree"), by and through its undersigned attorneys, hereby answers Defendant Getty Properties Corp.'s Crossclaims for Contribution and/or Indemnity [Doc. No. 4641], filed October 1, 2021, as follows:

**PRELIMINARY STATEMENT**

Hartree is a merchant commodities firm doing business in New York State that specializes in trading in energy and its associated industries and products. Hartree is not and has never been in the business of manufacturing, formulating or refining MTBE or gasoline containing MTBE. Hartree does not and never did explore for or extract crude oil, nor does Hartree own or operate any refineries, or bear any successor responsibility for any refining liabilities. Hartree does not and never did own, operate, or control any retail service stations, above-ground or underground gasoline storage tank systems, motor fuel terminals or refineries in the Commonwealth of Pennsylvania. Rather, Hartree is a limited form of "downstream handler", or "middleman", involved in the trading of, among other things, gasoline and gasoline products,

in the physical and on-exchange markets. Hartree has never blended or originated gasoline with MTBE, nor has it sold gasoline to an end consumer.

### **ANSWER TO CROSSCLAIMS**

1. Denies knowledge or information sufficient to form a belief with respect to paragraph 1 of the Crossclaims and the unnumbered paragraphs incorporated by reference therein.

2. Denies the allegations contained in paragraph 2 of the Crossclaims.

3. Denies the allegations contained in paragraph 3 of the Crossclaims.

4. Denies the allegations contained in paragraph 4 of the Crossclaims.

**WHEREFORE**, Hartree Partners, LP denies that Getty Properties Corp. is entitled to any relief set forth in its crossclaims against Hartree Partners, LP. Hartree Partners, LP respectfully requests that Court enter judgment in its favor and that the crossclaims asserted against it be dismissed with prejudice and grant such other and further relief that the Court deems just and proper.

Dated: Bronxville, New York  
October 19, 2021

Law Office of David Sifre LLC

By: /s  
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